
Local Government & Housing Committee

HB 1557

Brief Description: Requiring that first-year taxes paid on new farm structures be used to offset any permit and inspection fees.

Sponsors: Representatives Warnick, Blake, Kretz, Hinkle, Chandler, McCune and Johnson.

Brief Summary of Bill

- Prohibits counties from imposing permit fees or inspection charges under the state building code for the construction or remodel of qualifying agricultural structures.
- Specifies that any revenue reductions resulting from the prohibition must be allocated from the county general levy imposed on the agricultural structure to the county planning department.

Hearing Date: 2/4/09

Staff: Ethan Moreno (786-7386)

Background:

State Building Code.

The State Building Code Council (Council) provides analysis and advice to the Legislature and the Governor on state building code (SBC) issues. The Council establishes the minimum building, mechanical, fire, plumbing, and energy code requirements by reviewing, developing, and modifying the code provisions that comprise the SBC.

The SBC describes the powers and duties of fire code officials and building officials and must be enforced by counties and cities. Subject to statutory limitations, however, a county or city may amend the SBC as it applies within their jurisdiction.

Development Fees - Limits and Authority.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

With some exemptions, counties, cities, towns, and other municipal corporations are prohibited from imposing any tax, fee, or charge, either direct or indirect, on the development, subdivision, classification, or reclassification of land. This prohibition, however, does not disallow counties, cities, towns, or other municipal corporations from collecting reasonable fees for a permit or other governmental approval to cover the costs of processing applications, inspecting and reviewing plans, or preparing specific environmental review statements.

Summary of Bill:

The SBC is amended to prohibit counties from imposing permit fees or inspection charges for the construction or remodel of agricultural structures. "Agricultural structures" are defined as structures that are designed and constructed to house farm implements, hay, grain, poultry, livestock, or other horticultural products. Limitations pertaining to the structures are specified, including, that they may not be used for human habitation, or as a place of employment where agricultural products are processed, treated, or packaged.

An amount equal to any reduction in revenue resulting from the agricultural structure permit fee and inspection charge prohibition must be allocated from the county general levy imposed on the agricultural structure to the county planning department.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.